

98TH CONGRESS  
1ST SESSION

# H. R. 3194

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"Historic Shipwrecks"

To provide for the protection of any historic shipwreck or historic structure located on the seabed or in the subsoil of the lands beneath navigable waters within the boundaries of the United States.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 2, 1983

Mr. JONES of North Carolina (for himself, Mr. WRIGHT, Mr. BENNETT, Mr. BROOKS, Mr. DE LA GARZA, and Mr. ORTIZ) introduced the following bill; which was referred jointly to the Committees on Interior and Insular Affairs and Merchant Marine and Fisheries

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## A BILL

To provide for the protection of any historic shipwreck or historic structure located on the seabed or in the subsoil of the lands beneath navigable waters within the boundaries of the United States.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That this Act may be cited as the "Historic Shipwreck Pres-  
4       ervation Act".

5       SEC. 2. (a) The Congress finds that—

6       (b) The purpose of this Act is to secure, for the present  
7       and future benefit of the American people, the protection of

1 historical shipwrecks and structures on the seabed and in the  
2 subsoil of the lands beneath navigable waters within the  
3 boundaries of the respective States.

4 SEC. 3. For the purposes of this Act—

5 (a) the term “historical shipwreck or structure”  
6 includes, without limiting the generality thereof,  
7 sunken and abandoned ships and wrecks of the sea and  
8 any part of the cargo and other contents thereof, and  
9 sites, structures (including wharfs and bridges), objects,  
10 buildings, artifacts and implements of historical, ar-  
11 cheological, scientific, or educational interest which  
12 would meet the age requirement for eligibility for the  
13 national register of historic places;

14 (b) the term “salvage” means the compensation or  
15 reward allowed by maritime law to persons by whose  
16 voluntary assistance a sunken ship or wreck or her  
17 cargo, or both, have been saved in whole or in part  
18 from marine peril, or by whose assistance such proper-  
19 ty has been recovered from actual peril or loss, as in  
20 cases of shipwrecks, dereliction, recapture, or finding;

21 (c) the term “lands beneath navigable waters” has  
22 the meaning given that term in section 2(a) of the Sub-  
23 merged Lands Act (43 U.S.C. 1301(a)), and includes  
24 the beds and subsoil of all navigable lakes, reservoirs,  
25 rivers, and streams, except those expressly excluded by

1 section 2(e) of the Submerged Lands Act (43 U.S.C.  
2 1301(f));

3 (d) the term "boundaries" has the meaning given  
4 that term in section 2(b) of the Submerged Lands Act  
5 (43 U.S.C. 1301(b)); and

6 (e) the term "State" means a State of the United  
7 States.

8 SEC. 4. The United States releases and relinquishes to  
9 the respective States, except as otherwise reserved in section  
10 5—

11 (a) all right, title, and interest of the United  
12 States, if any it has,

13 (b) the right and power to manage, administer,  
14 lease and use, if any it has, and

15 (c) all claims of the United States, if any it has,  
16 for money or damages arising out of any operations of  
17 a State or person pursuant to a State's authority, or  
18 acting contrary to or without a State's authority, as to  
19 historical shipwrecks and structures on the seabed or in  
20 the subsoil of the lands beneath navigable waters  
21 within the boundaries of the respective States.

22 SEC. 5. (a) The United States maritime law of salvage  
23 shall not apply to any historical shipwreck or structure locat-  
24 ed on the seabed or in the subsoil of the lands beneath navi-

1 gable waters within the boundaries of the respective States  
2 and within the boundaries of the United States.

3 (b) All historical shipwrecks and structures located on  
4 the seabed or in the subsoil of the lands beneath navigable  
5 waters of each State shall be subject to the laws of said  
6 States.

7 SEC. 6. Except as provided for in this Act—

8 (a) nothing in this Act is to be construed as affect-  
9 ing or amending any of the rights reserved by the  
10 United States in sections 3, 4, 5, 6, and 8 of the Sub-  
11 merged Lands Act (43 U.S.C. 1311–1315) and sec-  
12 tions 721–738(d) of chapter 19 of title 46 of the  
13 United States Code (46 U.S.C. 721–738(d)); and

14 (c) nothing in this Act is to be construed as affect-  
15 ing or amending any of the rights reserved by the  
16 United States in sections 7361–7367 of chapter 637 of  
17 title 10 of the United States Code (10 U.S.C. 7361–  
18 7367).

19 SEC. 7. Nothing in this Act shall be construed as affect-  
20 ing or intended to affect or in any way interfere with or  
21 modify the laws of the States which lie wholly or in part  
22 westward of the ninety-eighth meridian, relating to the own-  
23 ership and control of ground and surface waters and the con-  
24 trol, appropriation, use, and distribution of such waters shall  
25 continue to be in accordance with the laws of such States.

1        SEC. 8. Any historical shipwreck or structure not cov-  
2    ered by sections 3 and 6 within the waters of the United  
3    States is subject to the supervision and control of the  
4    Department of the Interior.

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